



10-09-02

RCE 2800

PTO/SB/30(08-00)

Approved for use through 10/31/2002. OMB 0651-0031

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000, provides for continued examination of a utility or plant application filed on or after June 8, 1995. See the American Inventors Protection Act of 1999 (AIPA).

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.
NOTE: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53(d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000); 37 C.F.R. 1.233 (Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

Application No. 09/434,575
Filing Date 11/4/99
First Named Inventor David A.G. Deacon
Group Art Unit 2828
Examiner Name Cornelius H. Jackson
Attorney Docket No. 42P15253

#12 RCE RECEIVED

OCT 10 2002
BIOLOGY CENTER 2800

- Submission required under 37 C.F.R. § 1.114**
 - ☒ Previously submitted
 - ☒ Consider the amendment(s)/reply under 37. C.F.R. § 1.116 previously filed on 10/22/01, 1/11/02
(Any unentered amendment(s) referred to above will be entered).
 - ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
 - ☒ Other Petition for Two Month Extension of Time
 - ☒ Enclosed
 - ☐ Amendment/Reply
 - ☐ Affidavit(s)/Declaration(s) 10/10/2002 MBERHE 00000079 09434575
 - ☐ Information Disclosure Statement (IDS) 01 FC:179
 - ☒ Other: Revocation and Power of Attorney 740.00 OP
- Miscellaneous**
 - ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months. Fee under 37 C.F.R. § 1.17(i) required)
 - ☒ Other Copy of U.S. Patent Application Assignment
- Fees** The RCE fee under 37 C.F.R. § 1.17(e) is required by C.F.R. § 1.114 when the RCE is filed.
 - ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 02-2666
 - ☒ RCE fee required under 37 C.F.R. § 1.17(e)
 - ☒ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)
 - ☐ Processing fee under 37 CFR § 1.17(i) for Limited Suspension of Action
 - ☐ Other _____
 - ☒ Check in the amount of \$ 1140.00 enclosed
 - ☐ Payment by credit card (Form PTO-2038 enclosed)

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type) Charles K. Young Registration No. (Attorney/Agent) 39,435
Signature Charles K Young Date 10/7/02

CERTIFICATE OF EXPRESS MAILING OR TRANSMISSION

"Express Mail" mailing label number: EL867646637
Date of Deposit: 10-7-02
I hereby certify that I am causing this paper or fee to be deposited with the United States Postal Service "Express Mail Post Office to Addressee" service on the date indicated above and that this paper or fee has been addressed to the Assistant Commissioner of Patents and Trademarks, Washington, D.C. 20231
Name (Print/Type) Jerry V. Viscusi
Signature Jerry V. Viscusi
Date 10-7-02



FEE TRANSMITTAL FOR FY 2003

TOTAL AMOUNT OF PAYMENT (\$) \$1140.00

Complete if Known:

Application No. 09/434,575
Filing Date November 4, 1999
First Named Inventor David A.G. Deacon
Group Art Unit 2828
Examiner Name Cornelius H. Jackson
Attorney Docket No. 42P15253

METHOD OF PAYMENT (check one)

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit Account Number 02-2666
Deposit Account Name _____

☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

☐ Applicant claims small entity status. See 37 CFR 1.27

2. ☒ Payment Enclosed: ☒ Check
_____ Money Order
_____ Other

FEE CALCULATION

1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Code	Fee (\$)	Code	Fee (\$)		
1001	740	2001	370	Utility application filing fee	_____
1002	330	2002	165	Design application filing fee	_____
1003	510	2003	255	Plant filing fee	_____
1004	740	2004	370	Reissue filing fee	_____
1005	160	2005	80	Provisional application filing fee	_____

SUBTOTAL (1) \$ _____

2. EXTRA CLAIM FEES

		Extra Claims	Fee from below	Fee Paid
Total Claims	<u>35</u>	- 20** = <u>15</u>	X _____	= _____
Independent Claims	<u>2</u>	- 3** = <u>0</u>	X _____	= _____
Multiple Dependent			_____	= _____

**Or number previously paid, if greater; For Reissues, see below.

Large Entity		Small Entity		Fee Description
Code	Fee (\$)	Code	Fee (\$)	
1202	18	2202	9	Claims in excess of 20
1201	84	2201	42	Independent claims in excess of 3
1203	280	2203	140	Multipl dependent claim, if not paid
1204	84	2204	42	**Reissue independ nt claims v r riginal patent
1205	18	2205	9	**Reissu claims in xc ss of 20 and over riginal patent

SUBTOTAL (2) \$ _____

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

<u>Larg Entity</u>		<u>Small Entity</u>		<u>Fee Description</u>	<u>Fee Paid</u>
<u>Fee</u>	<u>Fee</u>	<u>Fee</u>	<u>Fee</u>		
<u>Code</u>	<u>(\$)</u>	<u>Cod</u>	<u>(\$)</u>		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1813	8,800	1813	8,800	Request for inter parties reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	400	2252	200	Extension for reply within second month	400.00
1253	920	2253	460	Extension for reply within third month	
1254	1,440	2254	720	Extension for reply within fourth month	
1255	1,960	2255	980	Extension for reply within fifth month	
1401	320	2401	160	Notice of Appeal	
1402	320	2402	160	Filing a brief in support of an appeal	
1403	280	2403	140	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,280	2453	640	Petition to revive - unintentional	
1501	1,280	2501	640	Utility issue fee (or reissue)	
1502	460	2502	230	Design issue fee	
1503	620	2503	310	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	740	2809	370	For filing a submission after final rejection (see 37 CFR 1.129(a))	
1814	110	2814	55	Statutory Disclaimer	
1810	740	2810	370	For each additional invention to be examined (see 37 CFR 1.129(b))	
1801	740	2801	370	Request for Continued Examination (RCE)	740.00
1802	900	1802	900	Request for expedited examination of a design application	
1504	300	1504	300	Publication fee for early, voluntary, or normal pub.	
1505	300	1505	300	Publication fee for republication	
1803	130	1803	130	Request for voluntary publication or republication	
1808	130	1808	130	Processing fee under 37 CFR 1.17(i) (except provisionals)	
1454	1,280	1454	1,280	Acceptance of unintentionally delayed claim for priority	

Other fee (specify) _____

Other fee (specify) _____

SUBTOTAL (3) \$ 1140.00

*Reduced by Basic Filing Fee Paid

SUBMITTED BY:Typed or Printed Name: Charles K. YoungSignature: Charles K. Young Date: 10/7/02Reg. Number: 39,435 Telephone Number: (408) 720-8300